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March 25, 2024

VIA ECF

The Honorable Jennifer L. Rochon
United States District Judge
United States District Court
500 Pearl Street, Room 1920
New York, New York 10007

Re: Combs v. GBG Sean John LLC (No. 21-cv-00996 (JLR))

Dear Judge Rochon:

We are counsel to Plaintiff Sean Combs in the above-referenced action against Defendants GBG Sean John LLC (“GBGSJ”), GBG USA Inc. (“GBG USA”) (collectively, “GBG”), Missguided Limited, and Missguided USA (Finance) Inc.

Plaintiff and GBG jointly submit this status letter in accordance with the Court’s Order, dated January 2, 2024 [Dkt. No. 70]. This letter is an update of our last status letter, dated December 26, 2023 [Dkt. No. 69].

The Chapter 11 bankruptcy proceeding filed by GBG USA remains pending in the U.S. Bankruptcy Court for the Southern District of New York. *In re GBG Sean John LLC*, Case No. 21-11369 (Bankr. S.D.N.Y. filed July 29, 2021). As we reported previously, when the liquidating plan for the debtors (“Plan”), including GBGSJ, was confirmed by the U.S. Bankruptcy Court’s order dated February 3, 2022 [Dkt. No. 518], the automatic stay was replaced by the injunction provisions in Article 12 of the Plan and Paragraphs 21 and 22 of the Plan confirmation Order. The injunctions have the same effect on the action as the automatic stay, except that they are permanent.

Plaintiff submitted a proposed stipulation of dismissal without prejudice to Defendants on January 23, 2024. Counsel for Defendants GBG USA and GBGSJ have been discussing the proposed stipulation with their clients, but are concerned that the stipulation for dismissal is without prejudice, and Plaintiff is unwilling to dismiss the action with prejudice.

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If the Court desires further information, such as it may exist, the parties will promptly respond.

Respectfully submitted,

/s/ Jonathan D. Davis

Jonathan D. Davis

cc: Rose Cordero Prey, Esq.
Sabina A. Vayner, Esq.
(All Via ECF)